

**Introduced by Senator Migden**

February 23, 2006

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An act relating to criminal investigations.

LEGISLATIVE COUNSEL'S DIGEST

SB 1544, as introduced, Migden. Criminal investigations: eyewitness identification: lineups.

Existing law does not regulate how law enforcement officials prepare or conduct eyewitness photo or live lineup identifications.

This bill declares legislative intent to require law enforcement to adopt policies and procedures regulating eyewitness lineup identifications so as to ensure a decrease in the number of misidentifications.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares the  
2 following:  
3 (a) The goal of a law enforcement criminal investigation is to  
4 find and apprehend the person or persons responsible for  
5 committing a crime.  
6 (b) Eyewitness identification procedure studies indicate that  
7 the criminal justice system can significantly decrease the rate of  
8 erroneous eyewitness identifications by implementing changes to  
9 identification procedures.  
10 (c) A decrease in the number of erroneous eyewitness  
11 identifications will increase public trust in the criminal justice  
12 system, which, in turn, will increase the ability of law

1 enforcement and prosecutors to convict the guilty and protect our  
2 communities.

3 (d) New policies and procedures such as those recommended  
4 by the National Institute of Justice are readily available and have  
5 proven effective in other jurisdictions.

6 (e) Therefore, it is the intent of the Legislature that law  
7 enforcement officials establish new policies and procedures  
8 similar to those recommended by the National Institute of Justice  
9 in order to ensure that eyewitness identification procedures in  
10 California minimize the chance of misidentification of a suspect.